

A WARNING ON IRAQ, FROM A FRIEND

(By Jean-David Levitte)

WASHINGTON.—Reading the papers from both sides of the Atlantic, I sometimes wonder whether the impending war is not between France and the United States. I would like to strongly reaffirm what, in the heart of the French people, is a longstanding reality: the friendship between France and America began in the early days of your fight for independence and has endured throughout the centuries.

America rescued my country twice in the last century—something we will never forget. Today we stand side by side in many parts of the world, including Afghanistan. France is the largest contributor of troops to NATO operations. Our friendship is a treasure, and it must be maintained, protected, enhanced.

However, the polls are clear: 78 percent of French people oppose a military intervention in Iraq. Polls are similar in most other countries, including in Eastern Europe. European governments may be divided over the use of force in Iraq, but public opinion is united.

There are, in my view, three reasons the mood is so cautious. The first relates to our assessment of what is far and away the biggest threat to world peace and stability: Al Qaeda.

French intelligence is clear that not since the Algerian war 40 years ago has my country been under such an immediate threat. Last May, 11 French citizens were killed in a suicide bombing in Karachi, Pakistan. In the fall a French tanker was attacked by Al Qaeda off Yemen. And in December, near Paris, we arrested several suspects who were suspected of close links to Al Qaeda and of planning terrorist attacks in France.

Terrorist suspects have also been arrested elsewhere in Europe—in Britain, Spain and Italy—belonging to groups connected with networks active in Afghanistan, Chechnya, Algeria and Bosnia. Yet we haven't seen any evidence of a direct link between the Iraqi regime and Al Qaeda.

A second reason for the reluctance of the French people is that Iraq is not viewed as an immediate threat. Thanks to the determination of President Bush and the international community—and to the inspections that destroyed more armaments between 1991 and 1998 than did the Persian Gulf war itself, and which have now been reinforced with stronger means and bigger teams—Saddam Hussein is in a box. And the box has been closed with the inspectors in it.

Europeans consider North Korea a greater threat. Imagine what a sense of security we all would feel if, as in Iraq, 100 inspectors were proceeding with unimpeded inspections throughout North Korea, including the president's palaces.

A third reason for the cautious mood relates to the consequences of a war in Iraq. We see Iraq as a very complex country, with many different ethnic groups, a tradition of violence and no experience of democracy. You can't create democracy with bombs—in Iraq; it would require time, a strong presence and a strong commitment.

We also worry about the region—considering that no peace process is at work for the moment in the Middle East, that none of the great powers seem able to foster one, and that a war in Iraq could result in more frustration and bitterness in the Arab and Muslim worlds.

People in France and more broadly in Europe fear that a military intervention could fuel extremism and encourage Qaeda recruitment. A war could weaken the indispensable international coalition against terrorism and worsen the threat of Islamic terrorism.

The inspections should be pursued and strengthened, and Saddam Hussein must be made to cooperate actively. War must remain the very last option.

ASBESTOS LITIGATION INUNDATES THE COURT SYSTEM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. KIRK) is recognized for 5 minutes.

Mr. KIRK. Mr. Speaker, yesterday Steven Kazan, the prominent asbestos victims lawyer, informed the Congress: "Asbestos litigation has become a nightmare because the courts have been inundated by the claims of people who may have been exposed to asbestos but who are not sick, who have no lung function deficit. This flood is conjured up through systematic, for-profit screening programs designed to find potential plaintiffs with some x-ray evidence 'consistent with' asbestosis. Ironically, and tragically, in many States that x-ray evidence triggers the statute of limitations, literally forcing the filing of premature claims. These claims are choking the asbestos litigation system and keeping the courts from doing their real job, providing compensation for people who are genuinely injured by asbestos diseases."

Mr. Speaker, the current state of asbestos litigation is a public health tragedy in which the claims of truly ill, terminally ill cancer patients and others who struggle to breathe are mixed together with those plaintiffs who suffer no impairments. In 2001, almost 90,000 individuals joined in asbestos-related personal injury suits against 6,000 entities, but only 10 percent of those claimants have any symptoms of asbestos-related illnesses. These legal tactics force defendants into settlements because they cannot take the risk of "betting the company" on pronouncements of a judge and jury. This first happened in 1982 when 16,000 asbestos personal injury suits forced Johns Manville Corporation into bankruptcy. Since then, the uncertainty of asbestos litigation has driven nearly 70 major American companies into bankruptcy.

During the past 20 years, 2,100 asbestos cases have been tried or settled at a total cost of \$54 billion, with over half of the money used to pay lawyers. As the Wall Street Journal points out, that is more money than the cost of 9-11, Enron and WorldCom put together.

□ 1400

It certainly is a lot of money, but sick plaintiffs are not getting their fair share. The Manville Asbestos Claim Trust created by the bankruptcy court started paying claims in 1988 and was depleted in just 2 years. Today Manville pays just 5 cents on the dollar to claimants, and more money flows out to individuals with no impairments than to people who are truly sick. The truest victims of this tragedy are those who deserve quick and fair compensation for the illnesses they suffer.

However, this problem has more victims. The long-term economic cost paid by all Americans is staggering. According to the RAND Corporation, another \$150 billion to \$200 billion will be spent on asbestos litigation if nothing is done. To date, \$54 billion has been expended. Without reform 423,000 American jobs will be lost. Local governments will spend millions on unemployment benefits, job retraining, and medical coverage for displaced workers and their families. Workers in bankrupt firms will not only lose their jobs, but their retirement security will slip away as they watch the value of their 401(K) accounts drop by 25 percent.

The ever-burgeoning caseload has spawned criticism even from Supreme Court justices who warn that the asbestos litigation crisis is slowing the administration of justice nationwide, and therefore, Congress must act. These complaints span the ideological spectrum of the Supreme Court, including court liberals like Ruth Bader Ginsberg and moderates like David Souter. In 1999, Souter wrote: "The elephantine mass of asbestos cases . . . defies customary judicial administration and calls for national legislation." Opining on the same case, Rehnquist, Scalia, and Kennedy also begged Congress to act. Others are joining the chorus.

Both the Washington Times and the Washington Post called on Congress to move asbestos litigation reform. Just 2 weeks ago, even the American Bar Association voted to support medical standards that would bring the cases of truly sick asbestos plaintiffs to the front of the docket.

Asbestos victims, business leaders, lawyers, and opinion leaders all agree. The need for reform is clear. Therefore, today I am introducing the Asbestos Compensation Act of 2003. This bill establishes medical criteria to expedite the claims of the truly ill and gives these victims access to quick and fair compensation. Any worker who feared he was exposed to asbestos could be tested by a qualified doctor in his area identified by the Justice Department. Those found to be injured would have the value of their impairments determined in accordance with a fair formula, and the worried well would retain the right to return at a later date if they developed symptoms of asbestos-related illness.

The Justice Department would contact corporations named by the workers as responsible for injuries, apportioning liability in accordance with the facts and a set liability formula. Many contacted corporations would accept these settlement offers since they would avoid the expensive legal battles of staying in court.

Mr. Speaker, this is a cloud on our entire economy, affecting 900 stocks in the stock market and the 401(K) and other retirement savings of all of our constituents. I ask for rapid support of

this legislation. This is the most important legislation after the President's tax package that this Congress will consider this year.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 936

Mr. SCOTT of Virginia. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 936.

The SPEAKER pro tempore (Mr. BISHOP of Utah). Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Ms. CARSON) is recognized for 5 minutes.

(Ms. CARSON of Indiana addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. GEORGE MILLER) is recognized for 5 minutes.

(Mr. GEORGE MILLER of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ARMED FORCES TAX FAIRNESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. LEVIN) is recognized for 5 minutes.

Mr. LEVIN. Mr. Speaker, I rise today because it is critical that the RECORD be clear about what happened earlier today on the floor of the House, and that we learn the right lessons.

The bill relating to Armed Forces Tax Fairness was supposed to be before us. The bill originally related exactly to that, tax fairness for those who are in the armed services. But it was decided before we met in committee, the Committee on Ways and Means, apparently by the leadership of that committee, that Members would be allowed to offer provisions totally unrelated to that important bill. A number of those in the majority decided to take that opportunity.

No Democrat participated in presenting any special interest or particular interest legislation. So what we saw was a flood of special interest or particular interest proposals totally unrelated to the critical issue of armed services tax fairness. Provisions relating to makers of bows and arrows, those who make fishing tackle boxes, a provision relating to the taxation of people, foreigners who bet on American horse races.

What happened? The majority leader earlier said on the floor that the result in the Committee on Ways and Means was a bipartisan one, as I heard his words. That is simply incorrect. We

voted, Democrats, against a number of these particular provisions. We had roll calls. Republicans voted aye; Democrats by and large almost unanimously voted no. The gentleman from New York (Mr. RANGEL), the ranking member, presented a substitute that would have stripped the bill of all of these particular interest provisions and, as I remember it, have adopted the Senate provision. That was voted down.

So let the RECORD be clear as to what happened in the Committee on Ways and Means. The bill came out on a voice vote because Democrats did not want to vote against a bill relating truly to tax fairness for those in our armed services. However, we had made clear where we stood on those specific provisions.

What is the lesson? At best, this bill, as it came out of the Committee on Ways and Means, reflected misguided priorities and the arrogance of power. Misguided priorities because they inserted several hundred millions in provisions totally unrelated to armed services tax fairness. Bows and arrows, money there when we are short-changing education for our kids, fish tackle boxes when there is not enough money going for homeland security. And then horse races to help those who bet on horse races when there is not enough money for people who are short on prescription drugs.

An arrogance of power that led some in the majority to decide to put on a bill relating to tax fairness for those who were abroad as well as at home, provisions that helped those who were here at home.

So I come here because it is critical the RECORD be clear, it be critical we learn from this experience. I hope next week early on a bill will be presented here preferably the Senate bill that treats even more fairly than the House bill, without these provisions, those in the armed services.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. TIERNEY) is recognized for 5 minutes.

(Mr. TIERNEY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. DELAHUNT) is recognized for 5 minutes.

(Mr. DELAHUNT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maine (Mr. ALLEN) is recognized for 5 minutes.

(Mr. ALLEN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

HONORING STAFF SERGEANT BERMAN GANOE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Ms. GINNY BROWN-WAITE) is recognized for 5 minutes.

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to honor a constituent of mine who fought and died in the Vietnam War and is being honored tomorrow in my district, the fifth congressional district of Florida. In 1968, 19-year-old Berman Ganoë enlisted in the U.S. Army and was sent shortly thereafter to Vietnam. On March 24, 1970, Staff Sergeant Ganoë's helicopter was shot down while on a rescue mission in Cambodia. The helicopter that Sergeant Ganoë was aboard was acting as a rescue aircraft for a gunship team engaged in combat on the ground. A fellow army pilot who witnessed the crash of Sergeant Ganoë's aircraft called the rescue mission and the actions of the entire crew "the most heroic act he had ever seen."

Shortly after the crash, Sergeant Ganoë was classified as "missing in action" and became Marion County, Florida's only Vietnam War "missing in action" person. In 1974, the Army changed his status to "assumed dead." In 1998, after an excavation of the crash site, Sergeant Ganoë's remains were returned to the United States but were never positively identified until mid-2001.

He is one of 22 Florida soldiers whose remains were recovered and returned to the United States following the end of the war. When the technology to positively identify years-old remains was developed and perfected, the remains were identified and the families of the fallen soldiers were contacted.

Tomorrow in my district, friends and family of Sergeant Ganoë are memorializing him and honoring his contribution to our country. A bronze memorial of Sergeant Ganoë will be unveiled at a ceremony in Ocala which will follow a private memorial service for his surviving three brothers, four sisters, and numerous friends and extended family members.

Sergeant Ganoë served his country and made the ultimate sacrifice to protect our freedom. Further, he died in a rescue mission to save the lives of fellow soldiers. Posthumously, Sergeant Ganoë was awarded the Distinguished Flying Cross, the Bronze Star, 16 Air Medals, the Purple Heart, and numerous other medals of valor.

I commend Sergeant Ganoë for his actions and stand here today to honor his life and his sacrifice. I think it is particularly important that we consider the sacrifices of Sergeant Ganoë and of the people who currently are serving in our military today.